

Notice of Allowability

Application No.

09/922,090

Applicant(s)

CHEUNG ET AL.

Examiner

Cam Y T. Truong

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/3/2006.
2. ☒ The allowed claim(s) is/are 1-13.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. Claims 1-20 are pending in this Office Action.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Rauch, Registration No: 37218 on 2/10/2006.

In claims: Please replace claim 1 with amended claim 1.

Please delete claims 14-20.

1. (Currently amended) A method of generating an ordered search list via a search engine, comprising:

receiving a search request having at least one search term over a network from a searcher;

retrieving a set of search listings from a search results database associated with the search term, where a plurality of the search listings each have a bid amount associated with the search term and a search listing is associated with an advertiser's account such that the advertiser's account is charged the bid amount if the search listing is selected from the set of search listings;

determining an account balance for the advertiser's account where the account balance is the difference between charges assessed by the search engine and deposits from the advertiser;

ordering the search listings into a search result list in accordance with the values of bid amounts such that search listings having larger bid amounts are listed before search listings having smaller bid amounts, wherein search listings associated with advertisers whose account balances that are below threshold are ordered as if their bid amount for the search term was zero to prevent over-delivery of the search listings associated with the advertisers whose account balances are below threshold and overcharging of competing advertisers;

providing the ordered search result list to the searcher via the network; and assessing charges to the advertiser's account as a function of the searcher selection of the search listing.

Allowable Subject Matter

3. Claims 1-13 are allowed.

As to claim 1, the prior art of record such as Mann teaches that the system may be particularly desirable for the rider to arrange for automatic charges to his credit card or bank account whenever his balance drops below a defined threshold i.e., when balance drops to zero. However, the prior art of record alone or in combination, does not teach or fairly suggest the combination of steps as recited in independent 1, wherein “ordering the search listings in accordance with the values of bid amounts such that search listings having larger bid amounts are listed before search listings having smaller bid amounts, wherein search listings associated with advertisers whose account balances that are below threshold are ordered as if their bid amount for the search term was zero to prevent over-delivery of the search listings associated with the advertisers whose account balances are below threshold and overcharging of competing advertisers”

The dependent claims, bring definite, further limiting, and fully enabled by the specification are also allowed.

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is (571) 272-4042 . The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cam-Y Truong
Art Unit 2162
2/13/2006